

1 BRIAN J. STRETCH (CABN 163973)
United States Attorney

2 SARA WINSLOW (DCBN 457643)
3 Chief, Civil Division

4 JULIE C. REAGIN (CABN 167934)
Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102-3495
7 Telephone: (415) 436-7181
8 FAX: (415) 436-6570
Julie.Reagin@usdoj.gov

Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 UNITED STATES OF AMERICA,)	CASE NO. CR 10-00245-001 CRB
)	
14 Plaintiff,)	WRIT OF GARNISHMENT
)	
15 v.)	
)	
16 KENNETH MARTIN KYLE,)	
)	
17 Defendant,)	
)	
18 _____)	
)	
19 TIAA CREF FINANCIAL SERVICES,)	
)	
20 Garnishee.)	
)	
21 _____)	
)	
22 _____)	

23 TO: TIAA-CREF
24 Attn: Legal Department
730 3rd Avenue
New York, NY 10017

25 **YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE**
26 **UNITED STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE**
27 **DEFENDANT-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.**
28

The name, last known address, and last four digits of the social security number of the person who is the defendant-judgment debtor ("defendant") in this action and whose property is subject to this Writ are as follows:

Kenneth Martin Kyle
Missouri Department of Corrections
ERDCC, 2727 Highway K
Bonne Terry, MO 63628
Social Security Number (last four digits): xxx-xx-1964

This Writ has been issued pursuant to a stipulation between the United States of America and Kenneth Martin Kyle, to enforce the collection of a criminal judgment entered in favor of the United States against the defendant for a debt in the original amount of \$50,100.00. As of July 25, 2016, the total balance due on the judgment debt, including accrued interest, is \$50,482.79. Interest continues to accrue after July 25, 2016, at approximately \$.28 per day.

The following are the steps that you must take to comply with this Writ. If you have any questions, you should consult with your attorney.

1. Pursuant to 28 U.S.C. § 3205(c)(2)(F) and the terms of the Stipulation filed in the above referenced case, you must immediately withhold and retain property of the defendant in which the defendant has a substantial nonexempt interest, or if you obtain custody, control, or possession of such property while this Writ is in effect, until you receive instructions from the United States regarding distribution and payment of the property at issue. Such property includes all 401K plans belonging to Defendant as identified in the Stipulation and currently in your possession.


2. In accordance with the terms of the Stipulation, the garnishee shall pay to the United States ten annual payments over a nine-year period via a Transfer Payout Annuity (TPA), less the federal and state income tax withholding of 20% of the funds withdrawn from the account. The Garnishee shall pay to the Plaintiff the first annual payment under the TPA at the earliest available date and shall pay subsequent annual payments under the TPA until the balance is fully disbursed or until such time as the U.S. District Court terminates the garnishment order due to satisfaction of the restitution debt.

**IF YOU FAIL TO WITHHOLD PROPERTY IN ACCORDANCE WITH THIS WRIT,
THE UNITED STATES MAY PETITION THE COURT FOR AN ORDER REQUIRING YOU
TO APPEAR BEFORE THE COURT. IF YOU FAIL TO APPEAR OR DO APPEAR AND**

1 **FAIL TO SHOW GOOD CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE**
2 **COURT WILL ENTER A JUDGMENT AGAINST YOU FOR THE VALUE OF THE**
3 **DEBTOR'S NONEXEMPT INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT**
4 **DISPOSABLE EARNINGS). THE COURT MAY ALSO AWARD REASONABLE**
5 **ATTORNEY'S FEES TO THE UNITED STATES AND AGAINST YOU.**

6 SUSAN Y. SOONG,
7 Clerk of the United States
8 District Court for the Northern District of California

9 Dated: August 19, 2016

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By: 
Barbara Espinoza, Deputy Clerk